

Notice of Allowability

Application No.

09/646,589

Applicant(s)

MORINAGA ET AL.

Examiner

Art Unit

Ngoc K. Vu

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/20/05.
2. ☒ The allowed claim(s) is/are 1-4 and 6-12.
3. ☒ The drawings filed on 05 February 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Orville R. Cockings on 7/25/05.

The application has been amended as follows:

In the claims:

Claim 1, line 8, after "for providing", --a digital signal-- has been changed to --said digital signal--.

Claim 1, line 11, after "for providing", --a digital signal-- has been changed to --said digital signal--.

Claim 2, line 4, after "output from said", --one specified output terminal-- has been changed to --first or second output terminal--.

Claim 4, lines 5-6, "adding predetermined copy control data to said digital data; and" has been deleted.

Claim 4, line 8, after "format based on", --said predetermined copy control data; and-- has been changed to --a predetermined copy control data;--

Claim 4, last line, --control data.-- has been changed to --control data; and
adding said predetermined copy control data to said digital data to be
output from said specified one of said plurality of outputs.--

Claim 5 is cancelled.

2. The following is an examiner's statement of reasons for allowance: the closest prior art, Ryan (US 5,574,787 A) teaches an apparatus and method for copy protection for video platforms in both digital and analog domains and unprotected source material. Particularly, Ryan teaches that a first switch 50 selects output from descrambler 52 when logic high 46 generated by copyright signature detector 32, otherwise the switch selects the video signal 48. The output signal 56 from the first switch 50 is applied to input of a second switch 66 and scrambler 70. The second switch 66 is therefore configured to select the output of scrambler 70 whenever a copyright signature is detected by copyright signature detector 32. A copyright bit adder is configured to add copyright bit to scrambling information from output of scrambler 70. The output of the second switch 66 is the final digital video output signal 68. The output signal 56 from the first switch 50 is also applied to D/A converter 60 to output analog video signal 64. Ryan fails to teach or fairly suggest the limitations "a first format processing unit coupled to a first output terminal from among said plurality of output terminals for providing said digital data in a first data format; a second format processing unit coupled to a second output terminal from among said plurality of output terminals for providing said digital data in a second data format; and a control means for controlling said one or more switches and each of said plurality of output terminals such that digital data is selectively output from said first or second output terminal in said first or second data format according to said predetermined copy control data" as recited in claim 1; and "converting said digital data to a first a second data format based on a predetermined copy control data; controlling each of said plurality of outputs such that said converted digital data is selectively output from only a specified one of said plurality of outputs in either said first or second data format according to said predetermined copy control data; and adding said predetermined copy control data to said digital data to be output from said specified one of said plurality of outputs" as recited in claim 4

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ngoc K. Vu
Primary Examiner
Art Unit 2611

July 26, 2005